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MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD
PERMITTING AND ENFORCEMENT COMMITTEE

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
SIERRA HEARING ROOM
SACRAMENTO, CALIFORNIA

MONDAY, SEPTEMBER 12, 2005

10:00 A.M.

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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Ms. Rosalie Mulé, Chairperson

Ms. Rosario Marin

Mr. Carl Washington

STAFF

Ms. Julie Nauman, Chief Deputy Director

Mr. Howard Levenson, Deputy Director

Mr. Elliot Block, Staff Counsel

Ms. Mary Madison-Johnson

Mr. Wes Mindermann, Supervisor, Solid Waste Cleanup
Programs

Mr. Bea Poroli

Ms. Carla Repucci

Ms. Geri Stryker, Supervisor, Permitting & Inspection
South Central

ALSO PRESENT

Ms. Jackie Adams, San Bernardino Local Enforcement Agency

Mr. John Boucher, Bryan A. Stirrat & Associates

Mr. George Eowan, L&D Landfill

Mr. Emilio Huerta, Stonybrook Corporation

Mr. Mike Lien, L&D Landfill

Mr. Art Rivera, San Bernardino County Department of Public
Works

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1 PROCEEDINGS

2 CHAIRPERSON MULÉ: Good morning, everyone. Good
3 morning welcome to the September 12th meeting of the
4 Permitting and Enforcement Committee. There are agendas
5 on the back table. And if anyone would like to speak on
6 an item, please fill out a speaker's form, which are also
7 in the back, and bring it forward to Donnell, and then
8 you'll have an opportunity to address the Committee.

9 Also, I would like to ask you to please turn off
10 your cell phones and pagers or put them in the silent
11 mode. And, Donnell, would you please call the roll.

12 SECRETARY DUCLO: Members Marin?

13 COMMITTEE MEMBER MARIN: Present.

14 SECRETARY DUCLO: Washington?

15 Mulé?

16 CHAIRPERSON MULÉ: Present.

17 Board Member Washington his plane is late and he
18 will be here probably around 10:30. So we will commence
19 the meeting, however.

20 Do we have any ex partes, Board Chair Marin?

21 COMMITTEE MEMBER MARIN: No, I'm up to date.

22 CHAIRPERSON MULÉ: And I'm up to date as well.

23 Mr. Levenson, could you provide us with your
24 Deputy Director's report.

25 DEPUTY DIRECTOR LEVENSON: Thank you, Madam

1 Chair, and good morning, Member Marin as well. Howard
2 Levenson with the Permitting and Enforcement Division.
3 I've got a few items to update you on.

4 One is to let you know I reported last month that
5 we'll be coordinating some follow ups to our fire and
6 stored waste piles workshop. We will be having 3 regional
7 coordination meetings for LEAs and local fire officials in
8 November. They're going to be in Fresno on November 2nd,
9 Marysville on November 9th, and Irvine on November 29th.
10 And these will serve as an opportunity for all the parties
11 in those areas to get together and exchange information
12 about fire plans and response kinds of conditions and
13 management issues.

14 After that, we'll be consolidating the results
15 for the State Fire Marshal, and he'll be convening an
16 advisory group to look at whether fire plan requirements
17 might be incorporated either as a model ordinance and
18 State Building Standards or as new regulations under the
19 Fire Marshal's Title 19.

20 So those will be posted on the events calendar,
21 and we'll get more information to you as we come closer to
22 that date.

23 I want to let you know that we completed the
24 filing along with the Water Board on the RD&D regs for
25 Subtitle D. We filed those regulations with the Office of

1 Administrative Law on August 24th. The OAL has 30 working
2 days to look at those regulations, so we anticipate a
3 decision by OAL no later than October 6th. We requested
4 an immediate effective date upon OAL's approval. And
5 after that permit could be issued. Although, operations
6 wouldn't be sanctioned to actually begin until the U.S.
7 EPA has approved our revision of the regulations and made
8 sure that it's in conformance with the Subtitle D program.

9 Scott Walker and Deb Borzelleri have initiated
10 discussions with the U.S. EPA to ensure that we receive
11 their approval in a timely manner. And I believe they'll
12 be going over to San Francisco to talk to Region staff
13 either this week or next week.

14 I'd also like to update you on the BKK project.
15 We've had, as you might expect, some delays and continuing
16 challenges, but we're happy to report that after rebidding
17 and resolving a number of technical issues, the contractor
18 has restarted closure and remediation of the Class 3
19 landfill.

20 As you know, in June we approved funding -- the
21 Board approved funding of \$1.2 million from the Solid
22 Waste Trust Fund to ensure the closure and remediation
23 that will be completed to meet minimum standards. An
24 additional \$5 million is available in an escrow account
25 that the Board controls to complete the project -- the

1 closure project.

2 Because of the revised bid costs being higher
3 than previously anticipated, it's likely going to result
4 in less than the 5 full feet of vegetative layer that the
5 regional water board would like. But there will be at
6 least 2 and a half feet of vegetative soil layer. And the
7 water board has conveyed that that should be acceptable
8 along with continued monitoring. So we're confident that
9 that will provide a high level of environmental
10 protection.

11 The City of West Covina has been cooperative and
12 staff continues to work with all the parties to facilitate
13 this project and get it done. And that will of course
14 lead to the City's vision being more possible for a major
15 redevelopment area. And really Scott Walker has carried
16 the weight on this, and he has been kind of the fulcrum
17 for all the discussions and debates. And he's kept it
18 cool between the contractors and BKK and the City and
19 various other parties. So Scott really deserves --

20 COMMITTEE MEMBER MARIN: You're not requesting an
21 increase in your salary?

22 (Laughter.)

23 DEPUTY DIRECTOR LEVENSON: No, Scott really
24 deserves a lot of credit.

25 CHAIRPERSON MULÉ: Yeah. Thank you, Scott, for

1 all your work on this.

2 COMMITTEE MEMBER MARIN: He wants a salary
3 increase.

4 (Laughter.)

5 DEPUTY DIRECTOR LEVENSON: Last August 22nd, we
6 did have a workshop on AB 1497, and the permit
7 implementation regulations. You've probably noticed a few
8 letters coming your way in the last day or 2 from various
9 stakeholders, including some addressed to legislators.
10 We're looking at those comments. You know, we plan to
11 return to the Committee either in October or November for
12 further direction on that informal reg package.

13 If the comments are too disparate, we may decide
14 to hold another workshop before coming back to you, but
15 right now we're still in the informal phase and we're glad
16 to get those comments and try and deal with those with the
17 stakeholders.

18 As usual, I want to let you know what's coming
19 up. We have a workshop this afternoon on LEA Operator
20 Training and Certification issues. That will be at
21 followed some point in the next few months with an agenda
22 item for your consideration as to providing us further
23 direction.

24 Next Monday we have a workshop on -- an informal
25 workshop on landfill gas monitoring regulations -- I mean

1 landfill gas monitoring and equipment regulations.

2 Next week there will be the CCDEH annual meeting
3 that Ms. Mulé and myself Mark Leary are attending, so
4 we'll report back on that.

5 On October 3rd after the P&E Committee, we have a
6 special board meeting regarding the Madera LEA potential
7 decertification issue.

8 October 24th we have another workshop on
9 post-closure maintenance issues, this time focused on the
10 technical aspects of that issue. And then as I mentioned
11 in November we have the various fire coordination
12 meetings.

13 So a lot on the docket for Permitting and
14 Enforcement in the next couple months.

15 That completes my report. I'd be happy to answer
16 any questions that you have.

17 CHAIRPERSON MULÉ: Any questions?

18 Thank you, Howard. And, again, I want to thank
19 you and staff for all your hard work on all of these
20 issues. They're all very important, and we appreciate
21 your work on those.

22 With that, I'd like to go to our first item for
23 consideration.

24 Howard.

25 DEPUTY DIRECTOR LEVENSON: Okay. Item 1, which

1 will be presented by Wes Mindermann, is consideration of
2 the scope of work for the engineering services contract
3 for the landfill and disposal site remediation under the
4 Solid Waste Disposal and Co-Disposal Site Cleanup Program.
5 This is funding from the Solid Waste Disposal Trust Fund.
6 And it would be requesting multi-year approval for fiscal
7 years 2005/6, 6/7 and 7/8.

8 And before Wes gets into it, he'll be providing
9 quite a bit of background -- not -- he'll be providing
10 some background on this contract, and in Item 2, our
11 environmental services contract. These are all the
12 contracts that we use to provide services to investigate
13 sites and then go ahead and remediate under Board managed
14 cleanup projects.

15 So there's a sequence of items here that are
16 related to the program.

17 (Thereupon an overhead presentation was
18 Presented as follows.)

19 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR
20 MINDERMAN: Good morning. Item B before you this morning
21 is for consideration of a scope of work for our
22 engineering services contract under the Solid Waste
23 Disposal and Co-Disposal Site Cleanup Program.

24 --o0o--

25 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR

1 MINDERMAN: As with every contract item, I thought it
2 would be good to provide a brief update on the legislation
3 in the program. Public Resources Code section 48021(b)
4 authorizes the Board, essentially, to contract out
5 directly for cleanups. So that's the authorization for
6 these contracts.

7 Public Resources Code 48027(b) also sets up the
8 Solid Waste Disposal Site Cleanup Trust Fund, and says,
9 "The money in the trust fund is continuously appropriated
10 to the Board for expenditure without regard to fiscal year
11 for the purposes of this article."

12 --o0o--

13 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR

14 MINDERMAN: Under the cleanup program, we essentially
15 have 2 types of contracts. One is environmental services,
16 which actually performs the remediations. And one is
17 engineering services, which actually provides support to
18 the program to perform the remediation.

19 I just want to illustrate here, the highlighted
20 contract, the contract with Bryan A. Stirrat and
21 Associates, is the contract we're talking about in this
22 item. We'll go over the environmental services contracts
23 in the next item. This contract expires in May of 2006.
24 And the current funding level is approximately \$400,000.

25 --o0o--

1 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR

2 MINDERMAN: What we're asking the Board to do here today
3 is to approve the scope of work and authorize us to go out
4 and obtain a new contractor. The objective of this
5 contract is essentially to support the program in
6 performing timely remediations by providing engineering
7 support.

8 The scope of work is provided in Attachment 1 of
9 the item. And if you look at it, it's essentially a wide
10 range of engineering services that we could potentially
11 use on remediations throughout the state.

12 Another thing to note is it's a work-order based
13 contracted. So how we essentially do work is we determine
14 what services we need, and then issue work orders for
15 those specific services in the amount that we determine
16 needs to be paid.

17 The funding for the contract is, as Howard said,
18 is essentially a multi-year. We're proposing for this
19 fiscal year to have an initial allocation of \$500,000.
20 We're proposing in fiscal year 2006/2007 to add \$300,000,
21 and in 2007/2008 to add another \$400,000.

22 The one thing I want to point out here is we've
23 written into the scope of work too that these funding
24 allocations may be adjusted depending on the demand or
25 need. You know, we try to project out as far as we can.

1 We try to keep money in the contract for services that we
2 think we may need, but, you know, it's hard to tell. So
3 fiscal year 2005/2006 won't change, but 2006/2007 and
4 2007/2008 may change depending on the need.

5 The contract term, we're hoping to execute the
6 contracts with Board approval by April 2006 with the
7 current contract expiring in May of 2006. That will
8 provide a slight overlap where we can probably transition
9 fairly easily. And these contracts are proposed to
10 terminate in May of 2008.

11 --o0o--

12 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR

13 MINDERMAN: That really concludes staff's presentation.
14 We're recommending the Board adopt resolution number
15 2005-236 and approve the scope of work to implement the
16 engineering services contract and authorize staff to
17 develop and advertise a Request For Qualifications and
18 select a contractor for presentation to the Board.

19 CHAIRPERSON MULÉ: Any questions?

20 Thank you, Wes

21 COMMITTEE MEMBER MARIN: Madam Chair, not a
22 question, but rather I'd really like to applaud this
23 particular committee. I love the fact that we're going
24 for Request For Qualifications. I like the fact that
25 we're going for bidding. You know, even -- this has

1 nothing -- this is not a reflection of the great work that
2 our current contractors are doing just the opposite. And
3 I really, really appreciate that. I cannot thank enough
4 the Committee and the staff for going this route.

5 You know, this should never allow anybody to
6 criticize this Board of sweetheart contracts and the like.
7 By taking this extra step, we're really furthering the
8 integrity of all the contracts we award. So I really
9 appreciate that. I know it's cumbersome.

10 And I don't know whether our engineers are here
11 right now, the people that we have this contract with.
12 But let me just say that going for Request For
13 Qualifications in no way, shape or form suggests that
14 they're not doing a great job. They are. But this is to
15 further the integrity of the awarding of the contracts and
16 I really appreciate that. I really do.

17 With that, unless you're going to say anything,
18 I'd like to move this item.

19 DEPUTY DIRECTOR LEVENSON: And I'll just thank
20 you on behalf of staff and indicate that there is a lot of
21 work that goes behind the scenes on an RFQ or an RFP. And
22 it involves program staff, but also legal and admin, so
23 there is a lot that goes on, and that's appreciated.

24 CHAIRPERSON MULE: Okay. We have a motion to
25 approve and I will second that.

1 Would you call the roll, Donnell.

2 SECRETARY DUCLO: Marin?

3 COMMITTEE MEMBER MARIN: Aye.

4 SECRETARY DUCLO: Washington?

5 Mulé?

6 CHAIRPERSON MULÉ: Aye.

7 And that is motion to approve Resolution 2005-236

8 for the record. So we will put this on fiscal consent,

9 but what we'll do --

10 DEPUTY DIRECTOR LEVENSON: We don't need to have

11 it on fiscal consent, because this is just the scope of

12 work.

13 CHAIRPERSON MULÉ: Oh, okay.

14 And what we'll do though is we will also hold

15 these and Board Member Washington can come in later and

16 vote on these.

17 DEPUTY DIRECTOR LEVENSON: We anticipate

18 returning to you in March with an item for award of the

19 contractor on both this and the next -- the RFQs under the

20 next item.

21 CHAIRPERSON MULÉ: Okay. Thanks, Howard.

22 The next item, which is Committee Item C, Board

23 Agenda Item 2.

24 DEPUTY DIRECTOR LEVENSON: Another short title

25 from Wes. Consideration of the scope of work for the

1 environmental services contracts for landfill and disposal
2 site remediation under the Solid Waste Disposal and
3 Co-Disposal Site Cleanup Program, again, from the Solid
4 Waste Disposal Trust Fund for 3 fiscal years 05/06, 06/07
5 and 07/08.

6 (Thereupon an overhead presentation was
7 Presented as follows.)

8 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR

9 MINDERMAN: Thank you, Howard. Again, Madam Chair and
10 Members of the Committee, this is very similar to our
11 previous item, with one difference. In this item we're
12 talking about our environmental services or cleanup
13 contractors, which are the contracts that I have
14 highlighted on this slide for you.

15 You can see the current contracts both again
16 expire in May of 2006. We're hoping to get an agreement
17 executed prior to that so we can transition over easily.
18 And, as Howard indicated, we would be to the Board
19 hopefully in March of 2006 with a recommendation to the
20 Board for 2 contracts.

21 You can also see the funding levels here. We
22 currently have about \$500,000 in our Diani contract, and
23 about \$1.4 million in our Guinn contract. Now one thing I
24 want to point out too is when these contracts expire, the
25 funds that are currently in the contract will revert back

1 to the trust fund. So in other words, we don't lose the
2 use of those funds. They'll revert back into the Solid
3 Waste Trust Fund.

4 --o0o--

5 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR

6 MINDERMAN: Another similar slide with some changes here.
7 The objective of these programs is to -- or these
8 contracts is to support the program in performing timely
9 remediations by providing cleanup services. We have 2
10 different scopes of work which are included in your
11 attachments 1 and 2 of the agenda item.

12 Again, if you read them, you can see that they
13 provide a wide variety of cleanup services that we
14 anticipate can be used on sites throughout California.

15 One thing we're doing a little differently with
16 these contracts is we are actually going to have a
17 geographic split. We're going to have a northern
18 California contract and a southern California contract.
19 And essentially it's based on how the Board has defined
20 northern and southern California with that split right
21 about the San Luis Obispo county line.

22 We have added a provision though that each of the
23 contracts will serve as the backup for another -- or the
24 other, in case there is some sort of a condition where one
25 contractor is busy and can't provide the resources or one

15

1 contractor has specialized resources that we may need in
2 the other geographic region.

3 Again, these are going to be work-order based
4 contracts, so we'll be issuing work orders for various
5 types of work during the contract period. With respect to
6 funding, keep in mind now, we're going to have 2
7 contracts. For this fiscal year 2005/2006, we're
8 proposing one and a half million dollars for each
9 contract. As we move down the subsequent fiscal years,
10 2006/2007 and 2007/2008 inclusive, we're proposing another
11 one and three-quarter million in each of those contracts.

12 And again I want to point out that for the future
13 fiscal years, these are just estimates that those numbers
14 may change based on the actual need that we have. The
15 contract term is very similar to the other one, we need to
16 have these contracts executed by April, and they will
17 terminate in May 2008.

18 And just to point out really quickly, the
19 pictures that you're seeing are actually on the slides to
20 make it a little more interesting are actually our
21 remediation projects. And this one was the Sonoma
22 Developmental Center up in Sonoma where we were cleaning
23 up a burn dump over the side of a hill.

24 --o0o--

25 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR

1 MINDERMAN: To conclude, we're recommending that the
2 Board adopt Resolution numbers 2005-237 and 2005-263 and
3 approve the scopes of work to implement the environmental
4 services contracts and authorize staff to develop and
5 advertise our Request For Qualifications and select
6 contractors for presentation to the Board, as Howard
7 indicated, hopefully in March of 2007.

8 CHAIRPERSON MULÉ: Thank you, Wes. Are there any
9 questions for Wes?

10 I was just going to say that let the record
11 reflect that Board Member Washington has joined us.

12 COMMITTEE MEMBER WASHINGTON: Thank you.

13 CHAIRPERSON MULÉ: Madam Chair.

14 COMMITTEE MEMBER MARIN: My rationale is the same
15 as I stated before, I really appreciate the staff work on
16 this. And with that, I'll move approval of Resolution
17 2005-237 and 2005-263.

18 COMMITTEE MEMBER WASHINGTON: Second.

19 CHAIRPERSON MULÉ: Okay. We have a motion by
20 Board Chair Marin and seconded by Board Member Washington.
21 I think, do we need to call the roll separately on these
22 then?

23 Okay, first 2005-237, call the roll please.

24 SECRETARY DUCLO: Marin?

25 COMMITTEE MEMBER MARIN: Aye.

1 SECRETARY DUCLO: Washington?
2 COMMITTEE MEMBER WASHINGTON: Aye.
3 SECRETARY DUCLO: Mulé?
4 CHAIRPERSON MULÉ: Aye.
5 And please call the roll on 2005-263.
6 SECRETARY DUCLO: Marin?
7 COMMITTEE MEMBER MARIN: Aye.
8 SECRETARY DUCLO: Washington?
9 COMMITTEE MEMBER WASHINGTON: Aye.
10 SECRETARY DUCLO: Mulé?
11 CHAIRPERSON MULÉ: Aye.
12 Okay, we can put both of those on consent. And
13 let's go back, Board Member Washington, on Item 1. We had
14 a recommendation to approve the scope of work for Item 1.
15 Board Member Marin and myself approved that. So if we
16 could call the -- have your vote on this.
17 COMMITTEE MEMBER WASHINGTON: Washington aye.
18 CHAIRPERSON MULÉ: Okay. So now, we've got a 3-0
19 vote on September Board Item 1.
20 And then for September Board Item 2, we'll put
21 that on consent as well.
22 Okay, our next item is Committee Item D, Board
23 Item 3.
24 DEPUTY DIRECTOR LEVENSON: Item D is
25 consideration of new projects for the Solid Waste Disposal

1 and Co-Disposal Site Cleanup Program, again, from the
2 Solid Waste Disposal Trust Fund from fiscal year
3 2005-2006.

4 (Thereupon an overhead presentation was
5 Presented as follows.)

6 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR

7 MINDERMANN: Thank you, Howard. Wed Mindermann from the
8 Solid Waste Cleanup Program.

9 The sites for your consideration this morning are
10 2 small illegal disposal sites on land owned by the
11 Stoneybrook Corporation, a nonprofit organization that
12 provides support for service-related functions performed
13 by the United Farmworkers, American Federation of Labor
14 and Congress of Industrial Organizations.

15 The Stoneybrook Corporation allows the use of the
16 property as La Paz, the historic headquarters and final
17 resting place of the late civil rights and farm labor
18 leader Cesar Chavez. The property has offices, training
19 facilities an auditorium, galleries, a visitor's center
20 and a memorial center.

21 I want to note here also that the Cesar E. Chavez
22 Foundation was selected in mid-December to receive a \$2.5
23 million grant from the California Cultural and Historical
24 Endowment of the California State Library. The grant will
25 help fund construction of the Cesar E. Chavez Learning

1 Institute. Last year the foundation completed the
2 construction of the Cesar E. Chavez Memorial and visitor's
3 center also.

4 The waste at the 2 sites will be consolidated
5 with other waste and burn ash in a Kern County burn dump,
6 which is also located on the Stoneybrook property. As a
7 result of it being a burn dump, staff have conducted the
8 required consolidation with the State Water Resources
9 Control Board, the Department of Toxic Substances Control,
10 in accordance with Public Resources Code Section
11 48022.5(f).

12 The required site consultation was conducted in
13 September of 2004, at which time it was determined that
14 the Board would serve as the lead remediation oversight
15 agency.

16 Staff have prioritized this site with all the
17 other sites that we know about and have given it a
18 priority A2, which is a confirmed condition of pollution
19 or nuisance from solid waste based on a comparison with
20 state minimum standards with significant residential,
21 industrial, park, recreation or environmentally sensitive
22 areas within 1 mile.

23 Our cost estimate for the work is going to be
24 \$150,000. Staff are recommending a waiver of cost
25 recovery for the Stoneybrook Corporation for reasons as

1 outlined on in the agenda item attachment.

2 --o0o--

3 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR

4 MINDERMAN: That concludes my presentation. Staff are
5 recommending the Board adopt Resolution Number 2005-238
6 and approve the project and waive cost recovery against
7 the Stoneybrook Corporation.

8 CHAIRPERSON MULÉ: Okay. We do have one speaker,
9 Mr. Emilio Huerta.

10 MR. HUERTA: Good morning.

11 CHAIRPERSON MULÉ: Morning.

12 MR. HUERTA: Thank you, Madam Chair and Members
13 of the Committee. One thing I would like to emphasize,
14 the nonprofit organization, by the name of Stoneybrook,
15 has owned this property since 1970. The 2 orphan sites
16 and the county site were never operated or there was never
17 any waste that was added to these sites by the Stoneybrook
18 Corporation or any of its nonprofit affiliates.

19 All of the waste that exists there on the
20 property the one county burn site was operated until the
21 early 1960s when it was shut down. The 2 other orphan
22 sites were operated in the late 1800s, early 1900s. So at
23 no time did the Stoneybrook Corporation add to or
24 contribute to any of the 3 sites.

25 And for that reason, I would like to emphasize

1 and request that cost recovery should be foregone in this
2 situation.

3 Thank you for your consideration.

4 CHAIRPERSON MULÉ: Thank you. Do we have any
5 questions?

6 Madam Chair.

7 COMMITTEE MEMBER MARIN: Not a question, but
8 rather thank you very much for being here, Mr. Huerta. I
9 really appreciate it. I have been to that place. I
10 visited the site, not on my capacity as a Board Member,
11 but I've had the privilege of being in that location.
12 It's a truly -- it's very inspiring actually just to be on
13 the grounds where such a wonderful man was laid to rest.

14 But my question has to do with how do we
15 prevent -- because, Mr. Huerta, you may not know that when
16 we go out there and clean, one of the biggest things we
17 want to do is make sure that this doesn't happen again.
18 And so if we could just make sure, and I don't know how we
19 do it, Howard, that we understand that you had nothing to
20 do with this particular site being illegally disposed --
21 what do you call it? A disposal site.

22 But we want to make sure that it doesn't reoccur.
23 And so is there anything that we tell our recipients when
24 we go out there and clean it, make sure that we prevent it
25 from happening again. I don't think that it will happen

1 again, but to emphasize that.

2 SOLID WASTE CLEANUP PROGRAMS SUPERVISOR

3 MINDERMAN: Right. Well, I think the important thing to
4 note -- the important thing to note on these 2 sites, is
5 really they're the result of historic dumping practices.
6 As Mr. Huerta indicated, I mean, these sites date back to
7 the early 1900s and possibly the late 1800s. And I think,
8 you know, probably no one better than the Stoneybrook
9 Corporation now is aware of the -- you know what are the
10 implications of illegal dumping are having, you know,
11 these problems sites on their property.

12 But, you know, we will be working with the LEA.
13 This will be going into another burn dump, which will be
14 inspected by the local enforcement agency and maintained
15 in compliance with State minimum standards. So, you know,
16 that's how we kind of addressed these issues on these
17 historic or what I call legacy sites.

18 MR. HUERTA: And I would just like to add that as
19 Mr. Mindermann has mentioned that when Mr. Chavez passed
20 away, and there was quite a bit of discussion as to where
21 his final resting place would be located, we made a
22 commitment, as individuals who are part of the farm worker
23 movement, to preserve the property known as La Paz. Mrs.
24 Chavez came to us and said, I will only allow you to bury
25 Cesar here, if you promise never to abandon, preserve and

1 to always make sure that this resting place will always be
2 dedicated to Cesar Chavez.

3 And so we made that commitment to her in 1993.

4 And, as yourself has referenced, since then we have done a
5 lot to sort of preserve the property to improve -- up
6 until 1990, we probably did very little with the property,
7 other than allowing it to be used as a retreat center.
8 But since then, we've built the education center, we've
9 built the memorial garden. And so we've made quite a few
10 improvements.

11 It's in a rural area. And the County has taken
12 measures to ensure that there's no more illegal dumping
13 that takes place in the area. There's a proper dump site
14 a mile away from there. The community residents know that
15 this is property of historic value to us. So there's
16 quite a few things that we've done to ensure that these
17 type of events will never happen again.

18 CHAIRPERSON MULÉ: Thank you.

19 MR. HUERTA: I would just like to thank Mr.
20 Mindermann and Jeff Cornette for allowing us to present
21 this proposal and helping us put this together.

22 Thank you.

23 CHAIRPERSON MULÉ: Thank you, again. Thank you,
24 Wes.

25 Any questions Mr. Washington?

1 Do I have a motion?

2 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
3 like to move adoption of Resolution 2005-238.

4 COMMITTEE MEMBER MARIN: Second.

5 CHAIRPERSON MULÉ: We have a motion by Board
6 Member Washington seconded by Board Chair Marin.

7 Please call the roll.

8 SECRETARY DUCLO: Marin?

9 COMMITTEE MEMBER MARIN: Aye.

10 SECRETARY DUCLO: Washington?

11 COMMITTEE MEMBER WASHINGTON: Aye.

12 SECRETARY DUCLO: Mulé?

13 CHAIRPERSON MULÉ: Aye.

14 Okay, and this will go on fiscal consent.

15 Our next item is Item E, September Board Item 4.

16 DEPUTY DIRECTOR LEVENSON: This item is
17 consideration of the grant awards for the Farm and Ranch
18 Solid Waste Cleanup and Abatement Grant Program from the
19 Farm and Ranch Cleanup Account, fiscal year 2005/2006.

20 Carla Repucci is going to make the presentation.
21 Before she does, I want to indicate that this item
22 concerns 7 particular grant applications. We've just
23 become aware today or in the last day or 2 of a newspaper
24 article in the Point Reyes Light dated September 8th in
25 which there are some allegations by the LEA about how the

1 tires on this site -- on one of the sites in Marin county
2 were actually used.

3 So what we're going to suggest is that we address
4 the other 6 grants today and that we do a little bit more
5 work in the next couple of days to make sure that the
6 information that we have from the property owner, that
7 they weren't involved in this at all, and that these tires
8 were not used for erosion control is correct. So then we
9 can report back to you at the Board meeting.

10 COMMITTEE MEMBER WASHINGTON: And which one was
11 that, Howard?

12 DEPUTY DIRECTOR LEVENSON: It's the Marin --
13 application listed as number 7 in the item, and it's the
14 Grossey Ranch Site. It's a site where we have approved
15 previous farm and ranch cleanup funds. And they're coming
16 in just to finish off the project. But because of this
17 newspaper article, I don't want the Board to be in a
18 position of exposure and I just want to make sure that
19 we've got this -- the I's dotted and the T's crossed.

20 CHAIRPERSON MULÉ: Thank you, Howard.

21 DEPUTY DIRECTOR LEVENSON: So with that I'll turn
22 it over to Carla and we'll be kind of on-the-run here
23 making some adjustments in the numbers of dollars that
24 we're recommending today.

25 CHAIRPERSON MULÉ: Thank you.

1 MS. REPUCCI: Good morning, Madam Chair and
2 members of the Committee. My name is Carl Repucci and I
3 will present Item E for the consideration of 7
4 applications for farm and ranch solid waste cleanup and
5 abatement grants. The amount requested in these
6 applications being brought before you today is -- is
7 \$257,667.68, and represent the first award of this fiscal
8 year.

9 The Farm and Ranch Grant Program provides up to
10 \$1 million each year to local governments, resource
11 conservation districts and Native American Tribes to clean
12 up illegal disposal sites on farm and ranch property.

13 There's \$952,150 in the fund for this fiscal
14 year. Seven applications requesting the cleanup of 11
15 sites were received this quarter. The applications were
16 reviewed for eligibility, scored and are being
17 recommending for approval today.

18 Approval of these applications as recommended
19 would leave -- and I'm sorry I didn't adjust that number.
20 It would be \$676,017.32 minus \$18,465. The sites being
21 requested for cleanup are in the counties of Mendocino,
22 Shasta, Tulare, Kern, Yolo and Marin.

23 Removal of the waste will restore the properties
24 back to their natural state and remove the threat to
25 public health and safety and the environment. All 7

1 applicants have indicated efforts to prevent waste from
2 being redeposited. The efforts include fencing, large
3 boulders, gates, the posting of signs and increased
4 surveillance.

5 Agenda Item E is for the consideration of 7
6 grants applications for farm and ranch solid waste cleanup
7 and abatement grants. Each application meets the
8 eligibility requirements set forth by the statute.
9 Therefore, staff recommends the Board adopt Resolution
10 2005-239 authorizing the award of up to \$257,667.68 for
11 the grant applications from the Resource Conversation
12 Districts of Tulare and Yolo counties, Mendocino Solid
13 Waste Management Authority and the counties of Shasta and
14 Marin and directing staff to develop and execute grant
15 agreements.

16 This concludes my presentation. Are there any
17 questions?

18 CHAIRPERSON MULÉ: Howard.

19 DEPUTY DIRECTOR LEVENSON: Clearly, Madam Chair
20 and Board Members, we are going to have to revise the
21 resolution unless we can come back to you next week with
22 satisfactory information indicating that the Marin -- the
23 second Marin application is okay.

24 So what I'd like to suggest, with your
25 indulgence, is that we go head and approve the award of

1 the 6 grants that Carla has just talked about and the
2 total funding, place it on fiscal consent and then we
3 report to you at the Board meeting next week on the status
4 of the 7th.

5 CHAIRPERSON MULÉ: Okay, that's fine with me.

6 Do the other committee members concur?

7 COMMITTEE MEMBER WASHINGTON: Yeah, that's fine.

8 CHAIRPERSON MULÉ: And then Board Chair Marin has
9 a question.

10 COMMITTEE MEMBER MARIN: I thought I read
11 something that it's a maximum of \$50,000 from.

12 MS. REPUCCI: It's a maximum of \$50,000 per site
13 per cleanup project.

14 COMMITTEE MEMBER MARIN: So the 2 in Marin
15 county, once is almost \$50,000 short by \$20. Does that
16 include taxes?

17 (Laughter.)

18 DEPUTY DIRECTOR LEVENSON: They're different
19 sites though, so each site could be up to 50.

20 COMMITTEE MEMBER MARIN: Okay, so each site. So
21 it's only the second one, the 18,000, the one that we have
22 a question with. Even though there is -- on the first one
23 there's over 7,000 tires, the other one is a lot less,
24 isn't it?

25 CHAIRPERSON MULÉ: Yes.

1 COMMITTEE MEMBER MARIN: So you're just going to
2 have -- you're going to answer those questions before the
3 Board meeting.

4 Now, on the Tulare County that one is a little
5 bit more than 50,000, that's -- is that -- oh, because
6 they're 3 sites.

7 MS. REPUCCI: I believe that one was two sites.

8 CHAIRPERSON MULÉ: On the Yolo?

9 MS. REPPUCI: You mentioned Tulare.

10 COMMITTEE MEMBER MARIN: I'm sorry, did I say
11 Tulare, I'm sorry. Yolo, it's 63,000, but that's because
12 there's 3 sites, so it literally could have been up to
13 150,000?

14 MS. REPUCCI: Correct.

15 COMMITTEE MEMBER MARIN: Okay. All right. That
16 sounds good to me.

17 CHAIRPERSON MULÉ: Okay. Do we have a motion to
18 approve -- and this resolution would be revised, correct
19 Elliot?

20 STAFF COUNSEL BLOCK: That's correct.

21 CHAIRPERSON MULÉ: Okay, thank you.

22 COMMITTEE MEMBER WASHINGTON: So we approve it
23 as is?

24 CHAIRPERSON MULÉ: No, we would need a motion to
25 approve 2005-239, revised, which would delete the 1

1 application by Marin county for \$18,465.

2 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
3 like to move adoption of Resolution 2005-239, revised,
4 with the exclusion of Marin County's second application.

5 COMMITTEE MEMBER MARIN: Second.

6 CHAIRPERSON MULÉ: We have a motion by Board
7 Member Washington seconded by Board Chair Marin.

8 Please call the roll.

9 SECRETARY DUCLO: Marin?

10 COMMITTEE MEMBER MARIN: Aye.

11 SECRETARY DUCLO: Washington?

12 COMMITTEE MEMBER WASHINGTON: Aye.

13 SECRETARY DUCLO: Mulé?

14 CHAIRPERSON MULÉ: Aye.

15 And we will put this on fiscal consent, and
16 hopefully in the meantime, you'll have the answers on
17 Marin county application number 2.

18 DEPUTY DIRECTOR LEVENSON: Thank you. And if we
19 do have sufficient information to recommend that, then we
20 will revise the resolution once again to reinclude those.
21 I just want to be careful here.

22 COMMITTEE MEMBER MARIN: Revise Revise.

23 COMMITTEE MEMBER WASHINGTON: Revise to the
24 revise of the revise.

25 CHAIRPERSON MULÉ: Great, the revision of the

1 revision. Okay, very good, thank you, Howard and staff.

2 Our next item is Committee Item F and Board Item
3 number 5.

4 DEPUTY DIRECTOR LEVENSON: We have a couple of
5 permits coming up from Sacramento county. The first one
6 is Agenda Item 5 will be presented by Bea Poroli. This is
7 consideration of a new full solid waste facilities permit
8 for the K&M Recycling, also known as Recycle America
9 Alliance, facility in Sacramento county.

10 CHAIRPERSON MULÉ: Good morning, Bea.

11 MS. POROLI: The proposed permit is to allow the
12 operation of a new compostable material handling and
13 construction and demolition and inert debris processing
14 facility. As we have indicated on page 5-4 of the agenda
15 item, at the time that the item was prepared, staff had
16 yet to determine the consistency of the facility design
17 and operation with State minimum standards.

18 Staff conducted a pre-permit inspection on August
19 15th, 2005 and cited 1 violation of state minimum
20 standards. On September 8th, 2005 the LEA confirmed that
21 the violation had been corrected.

22 Staff have now determined that all of the
23 requirements have been met. In conclusion, staff
24 recommends that the Board adopt Solid Waste Facilities
25 Permit Decision Number 2005-240 concurring in the issuance

1 of the solid waste facilities permit number 34-AA-0191.

2 The LEA and operator are present to answer any questions
3 you may have.

4 This concludes staff's presentation.

5 CHAIRPERSON MULÉ: Thank you, Bea. Are there any
6 questions of the Committee Members for the operator?

7 No questions for the operator?

8 I don't know if the operator wants to come up and
9 say a few words?

10 Yes, no?

11 No, they're okay.

12 COMMITTEE MEMBER MARIN: I have a question. Let
13 me ask you something, are we increasing something for the
14 permit or are we just allowing to do something new that
15 they had not done?

16 COMMITTEE MEMBER WASHINGTON: This is a new full
17 solid waste.

18 MS. POROLI: They're currently operating as a
19 recycling center, so they're going to get a full permit to
20 operate as a solid waste facility now, instead of a
21 recycling center. So we're going to increase tonnage
22 from -- we're not going to increase tonnage. Well, they
23 will be increasing tonnage 1,500 tons per day, which is
24 what they've been taking. But because of the new
25 regulations coming into effect, they were no longer

1 excluded from our jurisdiction. And this is the result of
2 the new regulations, the compostable regulations and the
3 C&D regs that brought them into our jurisdiction.

4 DEPUTY DIRECTOR LEVENSON: When those regulations
5 became effective in 2003, there was a grace period or an
6 interim period of 2 years for facilities to get their
7 solid waste permits under those regulations. So this is
8 an existing facility that now has to get a permit, and
9 it's coming in to get that taken care of.

10 COMMITTEE MEMBER MARIN: Okay, all right. And
11 they have not had any problems, except that one small
12 violation?

13 MS. POROLI: Yes, for signage.

14 CHAIRPERSON MULÉ: The letters were too small.

15 COMMITTEE MEMBER MARIN: You know, sometimes I go
16 to all of these places and you get all of these signs.
17 It's like wow. You're driving in, you can't really read
18 all of them, but they all have them, you know. Do they
19 have this one or that one up?

20 And their hours of operation are not changing,
21 right?

22 MS. POROLI: Correct.

23 COMMITTEE MEMBER MARIN: The numbers of vehicles
24 is not changing, correct?

25 MS. POROLI: Correct.

1 COMMITTEE MEMBER MARIN: Okay, all right.

2 CHAIRPERSON MULÉ: And also I pointed out
3 previously I just want to make sure on page 5-3 under key
4 issues that first bullet is corrected, the number of tons
5 per day.

6 DEPUTY DIRECTOR LEVENSON: We will revise that.
7 It's says 100. It's supposed to be 1,000.

8 CHAIRPERSON MULÉ: Yes. Thank you, Howard. With
9 that --

10 COMMITTEE MEMBER MARIN: No we'll will revise it
11 to just 100 tons, you'll see their operator coming and
12 talking right away.

13 CHAIRPERSON MULÉ: Do we have a motion then?

14 COMMITTEE MEMBER WASHINGTON: According to my
15 dash, it says 1 ton per day.

16 (Laughter.)

17 COMMITTEE MEMBER MARIN: That's right. We'll
18 hear the operator coming in real fast.

19 CHAIRPERSON MULÉ: I think they would not be
20 pleased with that.

21 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
22 like to move adoption of Resolution 2005-240.

23 COMMITTEE MEMBER MARIN: Second.

24 CHAIRPERSON MULÉ: We have a motion by Board
25 Member Washington seconded by Board Chair Marin.

1 Please call the roll.

2 SECRETARY DUCLO: Marin?

3 COMMITTEE MEMBER MARIN: Aye.

4 SECRETARY DUCLO: Washington?

5 COMMITTEE MEMBER WASHINGTON: Aye.

6 SECRETARY DUCLO: Mulé?

7 CHAIRPERSON MULÉ: Aye.

8 Okay. And that one we can put on consent.

9 DEPUTY DIRECTOR LEVENSON: Thank you, Madam
10 Chair. And we will revise both that Typo and then also
11 the resolution to reflect the consistency with State
12 minimum standards.

13 CHAIRPERSON MULÉ: Thank you, Howard. I
14 appreciate that. Our next item is Committee Item G, Board
15 Item 6.

16 DEPUTY DIRECTOR LEVENSON: Item 6 is
17 consideration of a revised full solid waste facilities
18 permit disposal facility for the L&D Landfill in
19 Sacramento county. And before Bea gets into her
20 presentation on this particular permit, I'd like to give
21 you a little bit of a background on a somewhat broader
22 issue.

23 As you know, last month our Executive Director,
24 Mr. Leary, reported to the Board on the LEA's granting of
25 a stipulated agreement for the L&D Landfill. And at that

1 time, Mr. Leary stated our view that this wasn't
2 consistent with the regulations and that a temporary
3 emergency didn't exist.

4 We subsequently have met with LEA to discuss how
5 to address this type of situation in the future. And we
6 will be developing guidance for all LEAs on the use of the
7 stipulated agreement of regulations.

8 But to me this L&D situation points out a broader
9 concern. And that's namely whether the existing solid
10 waste handling, processing and disposal infrastructure in
11 a regional area like Sacramento county and its
12 environments is going to be able to handle increased solid
13 waste generation that comes with population growth and
14 associated construction and another economic activity.

15 This is a problem we're seeing in other areas of
16 the state, and in my mind indicates a certain frailty in
17 our overall infrastructure system. We'll certainly
18 continue to working together with LEA's and local
19 jurisdictions on any permitting issues as early as we can.
20 But in my mind this is also an important long-term
21 planning issue that we all have to grapple with, city and
22 county planners, and decision makers as well as the solid
23 waste industry and the Board, so that we don't start
24 seeing these situations and saying oh, in hindsight we
25 should have done something a little different. We need to

1 start anticipating these.

2 So I just wanted to raise that. You know, we'll
3 have internal discussions on perhaps a workshop for the
4 Board with planners and LEAs to start addressing this
5 generally and seek some further guidance.

6 CHAIRPERSON MULÉ: Thank you, Howard. I
7 appreciate that. Because I know that I've been approached
8 from other jurisdictions on the similar issue, the same
9 issue actually, and we really -- it does need to be
10 addressed. It is a long-term planning issue and we really
11 do need to take a look at that and determine how we can
12 work with the local jurisdictions in their longer-term
13 planning. So I appreciate your efforts in that.

14 COMMITTEE MEMBER MARIN: I would echo that, Madam
15 Chair. I think that, you know, often times when people do
16 not have the resources or they're not clear, people can
17 become very creative, you know, at getting whatever their
18 needs -- their needs need to be met.

19 So I think that we -- I would put the onus on us.
20 You know, if people don't have the tools, then they're
21 going to play -- there's going to be a make believe, and
22 this way if we have clear guidelines, if we have clear
23 stipulations, then we don't have to have all of this
24 stipulated, what do you call it, agreements.

25 So, yeah, I would put the onus on us.

1 CHAIRPERSON MULÉ: Thank you, Madam Chair.

2 COMMITTEE MEMBER WASHINGTON: And certainly the
3 workshop would help out in a huge way. Because one of the
4 things you don't want to happen, and I think Howard has
5 already foreseen, the influx of that particular issue
6 coming at us at one time. That's when you have a real
7 problem. And so if you could avoid that, and certainly
8 the workshop would do a lot to go along ways to helping
9 out with that situation.

10 DEPUTY DIRECTOR LEVENSON: Exactly.

11 CHAIRPERSON MULÉ: Thank you. Okay.

12 DEPUTY DIRECTOR LEVENSON: Thank you. With that,
13 Bea will go ahead and give the current information that we
14 have on this particular proposed permit, and we'll talk
15 about next steps.

16 CHAIRPERSON MULÉ: Great, thank you, Howard.
17 Thank you, Bea.

18 MS. POROLI: For the record, there has been a
19 change to the proposed project, which will be discussed in
20 the presentation. You should have now before you a copy
21 of the revised proposed permit that was received on
22 September 7th, 2005. Copies are also available at the
23 back table.

24 When the proposed revised permit was initially
25 submitted to the Board, the permit was allowed -- was to

1 allow for the following changes: Increase the permitted
2 maximum tonnage from 2,540, to 4,125 tons per day with an
3 additional limit of 10,000 cubic yards per day; and to
4 change the estimated closure period from 2016 to 2013.

5 As was indicated on the table on page 6-4 of the
6 agenda item, at the time that the agenda item was prepared
7 staff had yet to determine the consistency of the facility
8 designed and operations with the State minimum standards,
9 completeness of the report of disposal site information,
10 RDSI; consistency of closure, post-closure maintenance
11 plan, and the adequacy of the funding for closure
12 post-closure maintenance and operating liability.

13 Since the item was prepared, staff have
14 determined that the closure and post-closure maintenance
15 plan meet the requirements, and that the funding for the
16 closure and post-closure maintenance and operating
17 liability are adequate.

18 On August 29th, 2005 Board staff conducted a
19 pre-permit inspection of the site and sited 3 violations
20 of State minimum standards and 3 permit violations.
21 During the pre-permit inspection, Board staff found that
22 the landfill operations actually started at 6 a.m. and not
23 6:30 a.m. as was stipulated in the permit.

24 On September 7, 2005 the LEA submitted a revised
25 proposed permit to change the hours of operation from 6:30

1 a.m. to 4:30 p.m. to 6 a.m. through 6 p.m. Because the
2 LEA submitted a second revised proposed permit, staff are
3 in the process of reviewing the newly proposed hours of
4 operation for consistency with the environmental document
5 that was prepared for the project.

6 Additionally, on September 8th, 2005, staff
7 received newly amended pages to the RDSI, which we are
8 currently reviewing. Board staff are working with the LEA
9 and operator to resolve these outstanding issues. A
10 follow-up inspection by the Board staff is pending to
11 determine the status of the violation cited in the
12 pre-permit inspection.

13 Staff need to have the issues resolved in order
14 to make a determination of consistency with the State
15 minimum standards, completeness of the RDSI and adequacy
16 of the CEQA. Therefore, staff will provide a
17 recommendation on this item at the September Board
18 meeting.

19 Board staff will prepare an updated agenda item,
20 which will include the revised proposed permit and will
21 provide a recommendation by the September board meeting.
22 Representatives of the LEA and operator are present to
23 answer any questions you may have.

24 This concludes staff's presentation.

25 CHAIRPERSON MULÉ: Questions?

1 Board Chair Marin.

2 COMMITTEE MEMBER MARIN: Thank you, Madam Chair.

3 I want to know the hours of operation, what were they
4 before and what are they proposed now? I couldn't find
5 it. I know the proposed is 6:30?

6 MS. POROLI: The current permit says 6:30 to
7 4:30. And they're proposed permit is 6 a.m. to 6 p.m.

8 COMMITTEE MEMBER MARIN: Okay. Understanding
9 that there is one of the closest people there is at 50
10 feet away or something like that, if I read correctly. At
11 6 o'clock isn't that too early for some of these people?
12 Do we get anybody opposing this, at least that particular
13 item?

14 CHAIRPERSON MULÉ: Did we get anybody that
15 opposed this item? Well, since the -- and when were these
16 changes made? When was this received, the change in
17 hours?

18 MS. MADISON-JOHNSON: The change we received --
19 the proposed revised permit on September 7th.

20 CHAIRPERSON MULÉ: The 7th.

21 MS. MADISON-JOHNSON: If I can provide a little
22 bit of history for you. I'm Mary Madison-Johnson with the
23 Permitting and Inspection Branch. I just wanted to let
24 you know that the current permit that the operation is
25 operating under, the template -- when they issued that

1 permit, the template said operating hours. And that's the
2 6:30 to 4:30 that includes that.

3 Previously, the operating hours had been 6 to 6,
4 and so I think there was some confusion about what is
5 operating and what is, you know, waste received versus
6 operating versus maintenance versus, you know, all the
7 operations that encompass the site.

8 So the operator has submitted the revised
9 proposed permit that talks about 6 a.m. to 6 p.m., which
10 would be all the operating hours, which would include
11 waste receipt, maintenance and everything. We're looking
12 at that document to see if it's consistent with CEQA.

13 Their information they provided is that's what
14 they feel that they have been entitled to all along.

15 COMMITTEE MEMBER MARIN: I understand. Then
16 we're going -- I understand that they're going to reduce
17 instead of having 16 years, it's now going to be 13 years.
18 So that's why they're asking for a bigger capacity to take
19 in. Is that what CEQA -- in your review of CEQA is that
20 going to address the -- are they also increasing -- I
21 would suppose, because it's a huge increase that they're
22 requesting, it's almost 50 percent, isn't it?

23 MS. MADISON-JOHNSON: Yeah, we have -- excuse me,
24 Board Member. We have analyzed CEQA for all the elements
25 relating to the permit except for the hours. So we're

1 comfortable with everything.

2 COMMITTEE MEMBER MARIN: Traffic as well?

3 MS. MADISON-JOHNSON: Traffic, tonnage,
4 everything. The only outstanding issues is are they
5 consistent with the hours that CEQA allows.

6 COMMITTEE MEMBER MARIN: Okay. It's almost 50
7 percent.

8 MS. MADISON-JOHNSON: The operator --

9 MS. POROLI: Traffic is not increasing.

10 COMMITTEE MEMBER MARIN: So how does that happen.
11 How could you not increase traffic when you have 2,500
12 going to 4,100, how could that happen? Bigger trucks?

13 MS. POROLI: It's the change in density. The
14 type of waste they're now receiving is causing a change in
15 density. So as result of that, the numbers -- the tonnage
16 numbers are going up.

17 DEPUTY DIRECTOR LEVENSON: The actual volume is
18 about the same. It's still capped at 10,000 --

19 COMMITTEE MEMBER MARIN: So C&D?

20 DEPUTY DIRECTOR LEVENSON: Correct, capped at
21 10,000 cubic yards per day, but it's heavier material, so
22 it will weigh more even though it's the same basic mass or
23 volume.

24 COMMITTEE MEMBER MARIN: Okay. All right, well
25 you guys are the experts on this. You tell me that.

1 COMMITTEE MEMBER WASHINGTON: So that means that
2 the trailers that they're going to bring -- the trailers
3 are going to be bigger then that brings the stuff in?
4 See, I'm trying --

5 CHAIRPERSON MULÉ: We do have a representative of
6 the operator here, so if you'd like to come up and answer
7 the questions, please identify yourself.

8 COMMITTEE MEMBER MARIN: Yeah, we don't know who
9 you are.

10 (Laughter.)

11 MR. EOWAN: Yeah, George Eowan representing L&D.

12 CHAIRPERSON MULÉ: Good morning.

13 MR. EOWAN Good morning. To the issue of the
14 amount of material coming in, the cubic yards, 10,000
15 CUBIC yards per day, is maxed out, and that's not going to
16 change. What's happened is the type of material that's
17 come in is heavier than what was coming in before, so the
18 bulk density is now heavier. It's not going to change the
19 traffic. It's not really going to even change the amount
20 of capacity of the landfill. And actually it will
21 probably even increase the amount of recyclability of some
22 of the materials coming in. So there's a lot of things
23 going on that if you just look at tonnage, it doesn't
24 really tell you the whole picture.

25 COMMITTEE MEMBER MARIN: Clearly, because it's

1 not styrofoam versus --

2 MR. EOWAN: Right, exactly.

3 COMMITTEE MEMBER WASHINGTON: Inert.

4 COMMITTEE MEMBER MARIN: Right. No, I appreciate
5 that.

6 CHAIRPERSON MULÉ: Okay. So we'll just --
7 Howard, we'll just be holding.

8 COMMITTEE MEMBER MARIN: Let me just say, I'm
9 very sensitive to people. And maybe because I live in a
10 city that is heavily, heavily populated. But I do respect
11 people's opportunity to go to sleep when they can. And
12 somehow earlier than 6 o'clock it's -- and I don't know
13 that you can change it, but I don't --

14 MR. EOWAN: I'm going to ask Mike Lien to come up
15 and talk about that because he's there every day.

16 COMMITTEE MEMBER MARIN: Good, he wakes up very
17 early.

18 (Laughter.)

19 COMMITTEE MEMBER MARIN: Listen, I got up today
20 at 4:30 in the morning, okay, but I try not to wake my
21 neighbors around.

22 MR. LIEN: You beat me this morning in terms of
23 when you got up. My name is Mike Lien, I'm associated
24 with L&D Landfill. We have been receiving solid waste
25 from 6:30 to 4:30 going back into the early eighties.

1 This is an area that is a commercial/industrial area.

2 There hasn't been anybody living in the neighborhood since
3 the late eighties.

4 I could tell you a long story that I'll make very
5 short where we actually operated for 10 years across the
6 street from a lady who lived there who didn't know we were
7 there until -- we'd been there for 10 years.

8 The issue of the hours of the 6 to 6, this is our
9 maintenance time where we have people out there who are
10 fueling machinery and getting ready for the day to start,
11 but we actually don't start receiving any solid waste
12 until 6:30. And so --

13 COMMITTEE MEMBER MARIN: So is that going to be
14 your request then to maintain those hours?

15 MR. LIEN: That's right.

16 CHAIRPERSON MULÉ: So you operate at 6, but you
17 really don't receive waste until 6:30.

18 MR. LIEN: That's right.

19 CHAIRPERSON MULÉ: Now, will that be spelled out
20 in your permit then?

21 I just want to make sure that we're all on the
22 same page with this and that the, you know, hours of
23 receipt are different from the hours of operation.

24 MR. LIEN: Yes, we're working with the LEA and
25 the Board to do that. And our plan is to actually, I

1 think, clarify what we have as opposed to change anything
2 and to make it very clear this time, because it wasn't on
3 the last permit.

4 CHAIRPERSON MULÉ: Well, it sounds like it wasn't
5 clear.

6 MR. LINE: It won't ma'am.

7 COMMITTEE MEMBER MARIN: Well, I really
8 appreciate that. And I understand the difference between
9 operating and receiving, so if that's the way it's going
10 to be, I really like that.

11 MS. POROLI: I'd like to add that the revised
12 proposed permit does clearly state on waste receipt hours
13 and then operating hours.

14 COMMITTEE MEMBER MARIN: Perfect.

15 MR. LIEN: Thank you.

16 COMMITTEE MEMBER MARIN: We're speaking the same
17 language. It's all trash.

18 CHAIRPERSON MULÉ: Okay. So we this, can --
19 we're going to --

20 DEPUTY DIRECTOR LEVENSON: Yeah. We'll go ahead
21 and continue working with the LEA and the operator. We'll
22 be looking at the CEQA information, which, of course, that
23 and the local -- the CUP are what condition the ability to
24 operate at certain hours. And we'll be looking at that
25 and reporting back to you next week.

1 CHAIRPERSON MULÉ: So we'll move it to the full
2 board with a recommendation.

3 DEPUTY DIRECTOR LEVENSON: Correct.

4 CHAIRPERSON MULÉ: Very good. Thank you, Howard.
5 Thank you.

6 Our next item is Item 7, Committee Item H which
7 has been pulled. And so our next item is Item I and it's
8 Board Item number 8.

9 DEPUTY DIRECTOR LEVENSON: And just for the
10 record regarding Item 7, which was consideration of a
11 revised full solid waste facilities permit for the
12 Northern Area Recovery Station in Sacramento county.
13 Again, for the record I'd just like to indicate Sacramento
14 County LEA has pulled the permit for the North Area
15 Recovery Station in order to provide time for additional
16 environmental review.

17 That evaluation will be completed prior to
18 proceeding with the solid waste facilities permit for that
19 particular facility, so we expect to see that back
20 hopefully November, or that time frame.

21 COMMITTEE MEMBER MARIN: Good.

22 CHAIRPERSON MULÉ: Thank you, Howard.

23 DEPUTY DIRECTOR LEVENSON: Okay, our last item of
24 the day, except for our workshop at 1 o'clock, is
25 consideration of a revised full solid waste facilities

1 permit disposal facility for the Victorville Sanitary
2 Landfill in San Bernardino county. And Gerri Stryker,
3 supervisor for the section dealing with that region will
4 be presenting that item.

5 PERMITTING & INSPECTION SOUTH CENTRAL SUPERVISOR
6 STRYKER: Good morning, Chair Mulé and Committee Members
7 Marin and Washington.

8 I will be briefing you on Agenda Item number 8,
9 which is consideration of a revised full solid waste
10 facilities permit for the Victorville Sanitary Landfill in
11 San Bernardino county.

12 The proposed permit will allow the operator to
13 expand the total permitted area from 80 acres to 491
14 acres; expand the disposal area from 67 acres to 341
15 acres; to increase the maximum elevation from 3,130 feet
16 mean sea level to 3,182 feet mean sea level; to change the
17 depth of excavation from 2,900 feet mean sea level to
18 2,748 mean sea level, this will increase the capacity from
19 7.7 million cubic yards to 83.2 million cubic yards; to
20 change the estimated closure date from 2005 to 2059; and
21 to update the joint technical document to reflect current
22 and proposed operations.

23 The LEA has certified That the application
24 package is complete and correct, and that the joint
25 technical document meets the requirements of the

1 California Code of Regulations. The LEA has also
2 determined that the California Environmental Quality Act
3 has been complied with.

4 At the time this agenda item was prepared, Board
5 staff had determined 5 of the requirements for the
6 proposed permit were not met. As of this morning, Board
7 staff has determined that all of the conditions -- all of
8 the required findings have been met.

9 So based on that, Board staff does recommend that
10 the Board concur in the issuance of Solid Waste Facilities
11 Permit number 36-AA-0045 and adopt Resolution 2005-243,
12 and either adopt the county's statement of overriding
13 considerations as assumed or adopt its own statement of
14 overriding considerations.

15 Here today to respond to questions about the
16 project and how it fits into the regional infrastructure
17 are the representatives from the San Bernardino County LEA
18 as well as the operator.

19 CHAIRPERSON MULÉ: Thank you, Gerri. Are there
20 any questions for Gerri?

21 COMMITTEE MEMBER WASHINGTON: Yeah, just a couple
22 of questions. In terms of did we ever figure out, because
23 I know that there were some -- you were still trying to
24 get the information on the financial assurance mechanisms
25 for the facilities closure and post-closure maintenance of

1 operation. I think before, Howard, I brought this up
2 regarding BKK, and I want to make sure we don't have the
3 same problem, that everything has been worked out in terms
4 of their closure and post-closure?

5 PERMITTING & INSPECTION SOUTH CENTRAL SUPERVISOR
6 STRYKER: I was actually headed a memo this morning
7 actually in the meeting that they have -- the financial
8 demonstrations meet all the requirements, and based on the
9 cost estimate capacity and fund balance information
10 submitted that it's adequate -- closure casts are
11 adequately funded.

12 COMMITTEE MEMBER WASHINGTON: Okay, good.

13 CHAIRPERSON MULÉ: Okay.

14 COMMITTEE MEMBER MARIN: I have some questions.
15 Obviously, this is a huge expansion of a current landfill.
16 How is that received by the community? Did you
17 guys have a -- I know probably even reviewing the EIR
18 there must have been some questions. Is anybody willing
19 to talk about that, please?

20 DEPUTY DIRECTOR LEVENSON: I think we could have
21 both the LEA and the operator respond to that. I know
22 that the LEA did hold a public hearing under the auspices
23 of AB 1497 in March, and there were no attendees or
24 comments at that particular meeting.

25 But that LEA can provide further details and I

1 believe the operator is there also.

2 CHAIRPERSON MULÉ: Good morning.

3 MR. ADAMS: Morning. I'm Jackie Adams and I'm
4 with San Bernardino County LEA. And what Howard said is
5 true, we held a public hearing and we didn't have any
6 attendees.

7 COMMITTEE MEMBER MARIN: When did you hold it?

8 MR. ADAMS: It was at, I believe, 9 o'clock in
9 the morning in the city of Victorville at the City Hall.

10 COMMITTEE MEMBER MARIN: And not one person
11 showed up.

12 MR. ADAMS: No. And I think the operator will
13 explain a little bit further. This isn't new to the
14 community. This expansion has been going on for years.
15 So it's not a new concept to the public.

16 COMMITTEE MEMBER MARIN: The knowledge of the
17 expansion has been going on for years?

18 MR. ADAMS: Correct.

19 COMMITTEE MEMBER MARIN: Okay. And you had no
20 environmental groups opposing this?

21 Wow. I would like to send you somewhere else.
22 We need to send you throughout the state.

23 Okay. It's amazing. It's amazing.

24 COMMITTEE MEMBER WASHINGTON: And while he's
25 coming, probably because geographically where it's

1 located -- and I'm going down, Madam Chair, Wednesday to
2 take a tour of it, and I'm sure it's probably because of
3 the geographic location, because it says like 1,000 feet
4 from the nearest residence. And out in that area where
5 it's open desert, people probably just have no interest in
6 caring about this -- where this stuff is. It's very
7 interesting -- I'm like you -- it's very interesting no
8 one has said anything about it.

9 Go ahead, I'm sorry.

10 MR. BOUCHER: My name is John Boucher. I'm with
11 Bryan Stirrat and Associates. We're the civil
12 environmental engineering company that did all the design
13 and the permitting for the landfill. And we started
14 working on it in about 2001. The concept of expanding the
15 county's landfill system to a series of regional sites was
16 first started in about 1996 through a project called the
17 Partnership Strategic Implementation Plan that was started
18 in '96.

19 Early in the nineties the county recognized that
20 they were going to have shortfalls of long-term capacity.
21 And at that time they could not show the mandatory 15
22 years in their siting element. So this process was
23 implemented. And at the time the county was operating 17
24 landfills all over the county. And I don't know if you're
25 familiar with San Bernardino county, but it's bigger than

1 some states.

2 There's 2 distinct regions. There's the valley
3 region which is heavily urban, and then there's the desert
4 region. And you're exactly right, the Victorville
5 Landfill is located several miles north of the town. And
6 what we found in San Bernardino county is a lot of these
7 cities want these landfills because they generate fees for
8 them.

9 And our firm started working on the Victorville
10 Landfill in 2001. And here we are today with you guys in
11 2005. One of the last things that kind of held up the
12 process is that when the previous contract operator was
13 operating the county, they didn't do a few things that
14 needed to be done with the county siting element. And
15 that was a process that actually put the solid waste
16 facilities permit process on hold for awhile. That will
17 come before you next month. We've shown local adoption
18 and we've done that.

19 But the Victorville Landfill is a large landfill,
20 but the area that it's located in is one of the highest
21 growth areas. San Bernardino county is a little unique
22 because it's not built out like a lot of the other
23 counties in the Los Angeles basin. So the plan was to
24 identify anywhere from 3 to 6 landfills that could be
25 developed as a regional site. In 1998, with the approval

1 of the expansion of the mid-valley landfill down the urban
2 area, the County was finally able to show 15 years of
3 capacity. But that landfill is being taxed, as we speak,
4 because there's still a lot of growth even in the valley
5 area.

6 So the Victorville Landfill is a very important
7 cog in the overall system for San Bernardino county. And
8 so you know, we'll be coming back for another expansion
9 for the Barstow Landfill some time next year. We're
10 starting the first stages of that as well.

11 CHAIRPERSON MULÉ: And, John, the question I have
12 then is included in your strategic plan you would also
13 then be planning for transfer stations to handle this
14 material?

15 MR. BOUCHER: That's correct.

16 CHAIRPERSON MULÉ: I know I'm walking a
17 tight-rope here, and then what about recycling facilities?

18 MR. BOUCHER: We figured that you guys would ask
19 that. Their intent is to maintain diversion and achieve
20 the diversion rates that are mandated by law. The County
21 has yet to achieve, which a lot of counties have. It was
22 my understanding in talking to the recycling coordinator
23 this week in preparation for this meeting, that there is
24 some problems with how counties are reported. And
25 counties that are growing at a high rate, the formula

1 that's used to determine their diversion rate may not give
2 you an accurate picture of what's going on.

3 CHAIRPERSON MULÉ: The adjustment factors that we
4 currently use.

5 MR. BOUCHER: And in the county unincorporated
6 areas right now they're achieving about 41 percent. But
7 there is quite -- there's recycling activities that go on
8 at all the landfills. And then obviously the franchise
9 haulers have curbside. But the county themselves, the
10 Solid Waste Management Department is always looking for
11 things that they can do to divert more waste.

12 Because the idea here is to maximize the
13 capacity. It's not to fill it up, but the County does
14 want to be able to secure long-term refuse capacity for
15 their citizens. I happen to be a citizen of San
16 Bernardino county, so I have a stake in what they do. And
17 I worked for this Board back in the early -- or the late
18 eighties, and the County of San Bernardino has really come
19 along way with getting their system in good shape, the
20 landfills are run a lot better. But this is the last
21 step, we need to secure landfill capacity.

22 CHAIRPERSON MULÉ: And I applaud the County for
23 that long-term planning, which we were discussing earlier
24 is not apparent in other areas. But by the same token,
25 you know, we are here to carry out the mandate of AB 939.

1 And so I just hope that the County will assure us that
2 they're doing everything that they can to divert as much
3 material from this landfill.

4 MR. BOUCHER: Well, I have Art Rivera here, he's
5 the Chief Engineer. And he can definitely give you
6 assurance they're constantly looking for new things that
7 they can do.

8 MR. RIVERA: Absolutely.

9 COMMITTEE MEMBER MARIN: One of the questions
10 that I was going to have, and she asked it, so in this
11 particular landfill right there is the recycling
12 facilities or not?

13 MR. BOUCHER: At this particular landfill,
14 most of the waste -- not most of the waste, but a majority
15 of the waste comes from franchise haulers. So there is
16 whatever recycling activities are done curbside. Then at
17 the landfill itself, they have a C&D operation out there.
18 They have drop-off boxes for source separated materials
19 for people that are private haulers -- or not private, but
20 public citizens in and around the area, because not
21 everybody is on mandatory trash pickup there.

22 So the C&D is their latest thing that they're
23 trying to get implemented and hoping that will be a
24 success and divert even more materials. For the month of
25 July they gave me a number of about 1,200 tons of material

1 that was diverted from the landfill.

2 CHAIRPERSON MULÉ: And this is through the pilot
3 C&D project --

4 MR. BOUCHER: Yes, that's correct.

5 CHAIRPERSON MULÉ: -- at the Victorville
6 Landfill?

7 MR. BOUCHER: Yes.

8 COMMITTEE MEMBER MARIN: So there are no MRFs?
9 There is not a MRF at the landfill?

10 MR. BOUCHER: No. There is not a MRF at the
11 landfill.

12 COMMITTEE MEMBER MARIN: Do you have any plans
13 for that or not?

14 MR. BOUCHER: Well, I think the County is
15 constantly looking at different things that they can do to
16 enhance that. But many of the franchise haulers, as you
17 know, they run through a series of transfer stations. You
18 had mentioned the fact that how do they make this system
19 work? Well, there are several rural bin sites, community
20 collection centers, and full material recovery facilities
21 constructed and operational to divert wastes from the
22 waste stream.

23 CHAIRPERSON MULÉ: But there is a MRF somewhere
24 in the area?

25 MR. BOUCHER: Yes.

1 CHAIRPERSON MULÉ: I don't know if you want to
2 come forward.

3 MR. RIVERA: There's one near the landfill
4 actually at the start of Wells Road.

5 CHAIRPERSON MULÉ: If you want to come forward.

6 MR. RIVERA: My name is Art Rivera. I'm with San
7 Bernardino County Solid Waste Management Division.

8 And, yes, there are a couple of -- actually, I
9 believe there's 2 MRFs in the area, one in, I believe,
10 it's like the Hesperia area/Apple Valley run by Advanced
11 Disposal. And then there's another MRF, I believe, run by
12 Burtec near the landfill. So there are 2 in proximity to
13 the landfill.

14 COMMITTEE MEMBER MARIN: Okay. It's just that I
15 have visited a number of different landfills and some of
16 them have some MRFs within the site, some of them have all
17 kinds of programs where people drop off and so forth. So
18 I just wanted to picture it. I haven't been to that
19 particular landfill.

20 MR. RIVERA: Right. And as John mentioned,
21 there's drop-off bins there at the landfill to separate,
22 you know, the recyclable materials.

23 COMMITTEE MEMBER MARIN: So how is this landfill
24 going to help the County achieve the 50 percent goal or is
25 it going to actually hinder it, because oh, now we have a

1 huge landfill, okay, let's drop everything there.

2 MR. RIVERA: Right. Well, as John mentioned, in,
3 you know, unincorporated areas of the county, which, you
4 know, is our purview, you know, there is the curbside
5 pickup, so they have recycling bins for your green waste
6 and for you recyclables. But again, you know, our goal is
7 to maintain the 15 years, which again is a requirement to
8 do that as part of the countywide integrated waste
9 management.

10 COMMITTEE MEMBER MARIN: Well, now you have 79
11 years or something like that, right?

12 MR. RIVERA: Well, it's 54 years. One of the
13 things --

14 COMMITTEE MEMBER MARIN: So it's a lot more than
15 the 15, but what about the 50 percent.

16 MR. RIVERA: Well, one of the things to remember
17 is even though it's a 54-year landfill as proposed, we're
18 not changing the amount of daily permitted tonnage. It's
19 1,600 tons per day currently.

20 We didn't project hitting 1,600 tones per day,
21 probably, until I think about the year 2016. We are
22 currently, many days actually, getting very close to the
23 1,600 tons per day. So that 54-year landfill that you're
24 looking at I think is going to be cut down substantially,
25 because, you know, unprecedented growth up in the high

1 desert. Also our mid-valley landfill, as John spoke about
2 that one, it's located in the City of Rialto.

3 The growth is just tremendous out there. And
4 that landfill is going to close -- it probably has another
5 20, 25 years. Well, that trash needs to go somewhere.
6 So, you know, the Victorville Landfill can also, you know,
7 eventually, we're looking at that to be able to take the
8 trash that's going to be coming from the valley, once the
9 mid-valley landfill ceases to operate.

10 COMMITTEE MEMBER MARIN: Right. You still did
11 not answer my question about how are you going to get 50
12 percent?

13 MR. BOUCHER: Well, you ask a good question. Its
14 a tough question.

15 MR. RIVER: Unfortunately, I'm not the recycling
16 coordinator.

17 COMMITTEE MEMBER MARIN: You're not the
18 recycling, you're just the engineer.

19 MR. BOUCHER: How does any county in California
20 meet the 50 percent goal?

21 Well, you know, we were at 41 percent now. And
22 the County has got to continue to work with the contract
23 operators, the franchise haulers and continue to try to
24 maximize what they're getting out of the waste stream.

25 But it's a difficult goal to meet, and the

1 County, like a lot of other counties, is striving to do
2 that. And we have a. --

3 COMMITTEE MEMBER MARIN: Yeah, but many counties
4 are meeting it.

5 MR. BOUCHER: Many counties are and you are
6 correct. And all I can say is that the County is
7 continuing to strive to meet the goals.

8 MR. RIVERA: And the C&D operation that John
9 smoke about --

10 COMMITTEE MEMBER MARIN: That should help a lot.

11 MR. RIVERA: It's already at the Victorville
12 Landfill and we're implementing that at other landfills
13 throughout our system. That will help.

14 COMMITTEE MEMBER MARIN: That will help. I am --
15 I just want to push. You know, what can I say, that's my
16 role.

17 MR. RIVERA: But we are trying and trying hard.

18 COMMITTEE MEMBER MARIN: We won't left you off
19 easy.

20 MR. BOUCHER: That's okay. That's all right.
21 That's a good question. And we knew that you would ask
22 that question, because when you go for a big landfill with
23 big capacity, the natural question is what are you doing
24 for diversion and recycling. And there is systems in
25 place and they'll continue to enhance those and try to,

1 you know, get to the goal. That's their mandate, and they
2 have a whole section in his department that that's all
3 they do. In fact, those are the folks that briefed me
4 before I came to this meeting.

5 CHAIRPERSON MULÉ: Well, we appreciate your
6 input. But by the same token, you know, we have a mandate
7 to carry out. And I know that our local assistance staff
8 is working both with the county and the incorporated
9 jurisdictions to maximize your diversion via a number of
10 programs, namely the C&D diversion. Since there is so
11 much growth going on in that area, it just makes sense to
12 develop and implement C&D programs, diversion programs in
13 that area.

14 COMMITTEE MEMBER MARIN: Would you know by any
15 chance of all the cities in your particular county how
16 many of them have C&D ordinances, off the cuff, do you
17 know?

18 MR. RIVERA: I don't know.

19 COMMITTEE MEMBER MARIN: Not a clue.

20 MR. BOUCHER: No. My understanding was that the
21 focus was going to be on the landfill projects and trying
22 to get the C&D operations up and running in all the county
23 landfills for C&D.

24 COMMITTEE MEMBER MARIN: Okay. Well, thank you
25 very much for being here. Now, we'll deny your permit.

1 (Laughter.)

2 CHAIRPERSON MULÉ: Mr. Washington.

3 COMMITTEE MEMBER WASHINGTON: And, Howard -- I
4 want to get Howard's attention for this. This just raises
5 another concern is public participation. We had some
6 discussion. To me it raises, you know, with such a
7 magnitude of this type of landfill to have a public
8 meeting at 9 o'clock in the morning really kind of
9 irritates me. And I'm being very honest.

10 MR. RIVERA: Can I step up for a second.
11 Actually, we held a scoping meeting for the EIR, that was
12 held in the evening 7 p.m. in the City Hall, City of
13 Victorville.

14 COMMITTEE MEMBER WASHINGTON: Okay, all right.

15 MR. RIVERA: And that was for the EIR an
16 opportunity for anyone to come and learn about the
17 project.

18 COMMITTEE MEMBER MARIN: And how many people
19 showed up?

20 MR. RIVERA: Actually 0 people showed up. We
21 actually had one person show up and they were there for
22 the wrong meeting.

23 COMMITTEE MEMBER WASHINGTON: Okay. So nobody
24 wants to go and talk about that landfill. All right.

25 DEPUTY DIRECTOR LEVENSON: Mr. Washington, I just

1 want to let you know that more generally the issue of
2 public hearings is one of the issues in the AB 1497 permit
3 regulatory package that currently is in its informal
4 stages, but certainly will be coming to you soon for your
5 direction.

6 COMMITTEE MEMBER WASHINGTON: Great. Yeah, again
7 I wanted to make sure that we emphasized to our LEAs and
8 others that we would prefer that these -- ought to
9 encourage -- I remember words we were trying to pick out
10 of here that does not mandate, but we wanted to encourage
11 and certainly ask our LEAs to have these meetings where --
12 you know, that it's unequivocally clear that when these
13 meetings take place, it is at a time -- because coming,
14 Chair Marin, out of Victorville, people working in LA,
15 there's no way they can get to a 9 o'clock meeting.
16 They're not going to do it. They've got to get on a
17 freeway at 4 in the morning just to get to work on time.

18 And so I just wanted to make sure that that
19 hadn't died on us in terms of the public participation.
20 And if nobody showed up for that meeting, good for you
21 guys. Again, I can almost tell you where it's
22 geographically located is probably a big reason why people
23 just have no interest in really being involved with this.

24 CHAIRPERSON MULÉ: Okay, do I have a motion?

25 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd

1 like to move adoption of Resolution 2005-243 revised.

2 CHAIRPERSON MULÉ: Second?

3 COMMITTEE MEMBER MARIN: Second.

4 CHAIRPERSON MULÉ: We have a motion by Board

5 Member Washington seconded by Chair Marin.

6 Please call the roll.

7 SECRETARY DUCLO: Marin?

8 COMMITTEE MEMBER MARIN: Aye.

9 SECRETARY DUCLO: Washington?

10 COMMITTEE MEMBER WASHINGTON: Aye.

11 SECRETARY DUCLO: Mulé?

12 CHAIRPERSON MULÉ: Aye.

13 Okay. And this one we can put on consent as

14 well.

15 COMMITTEE MEMBER MARIN: It's going to come back?

16 CHAIRPERSON MULÉ: You've got to come back

17 with --

18 PERMITTING & INSPECTION SOUTH CENTRAL SUPERVISOR

19 STRYKER: With the revised item.

20 DEPUTY DIRECTOR LEVENSON: Well, we'll just

21 change in the BAWDS system this week so it will reflect

22 both the revision of the item to the latest update on the

23 financial assurances and the revision of the resolution.

24 So they'll be in your packet prior to the Board meeting.

25 CHAIRPERSON MULÉ: Okay, good. All right. Do we

1 have any comments from the public?

2 Seeing none, this meeting is adjourned.

3 Thank you.

4 DEPUTY DIRECTOR LEVENSON: I just want to make

5 sure, If I missed it, I'm sorry, but did you place this on

6 consent?

7 CHAIRPERSON MULÉ: Yes, I did.

8 DEPUTY DIRECTOR LEVENSON: Thank you.

9 CHAIRPERSON MULÉ: Yes, I did. With that this
10 meeting is adjourned.

11 Thank you all.

12 (Thereupon the California Integrated Waste
13 Management Board, Permitting and Enforcement
14 Committee meeting adjourned at 11:20 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing California Integrated Waste Management Board,
7 Permitting and Enforcement Committee meeting was reported
8 in shorthand by me, James F. Peters, a Certified Shorthand
9 Reporter of the State of California, and thereafter
10 transcribed into typewriting.

11 I further certify that I am not of counsel or
12 attorney for any of the parties to said workshop nor in
13 any way interested in the outcome of said workshop.

14 IN WITNESS WHEREOF, I have hereunto set my hand
15 this 20th day of September, 2005.

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23 JAMES F. PETERS, CSR, RPR
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